THE COURT RECORD.

Supreme Court.

herefor, the act of 1879 does not supersed

ing the one of 1875.

16605. Griffin vs. Ulen et al. Boone C. C.
Affirmed. Howard, J.—Where a person is amply provided for in a will, as a son, and

the will further provides for a division of the residue of the property among "my legal heirs," the person so provided for first cannot claim under provision for such

17099. Johnson vs. Board of Commissioners. Randolph C. C. Affirmed. McCabe, J. -An act of the Legislature which attempts

to release an officer and his sureties on his official bond and from all habilities, on account of money in his hands as such an

officer, and which he received in his offi-

cial capacity, and which he lost by depositing the same in a bank which subsequently

failed, is unconstitutional, for both Consti-

tutions, federal and State, forbid the Leg-

islature to pass a law impairing the obli-

16998. People, etc., Society vs. McKey. Elkhart C. C. Affirmed. Hackney, J.-

Where an assessment insurance association

admitted the validity of the plaintiff's de-

mand except as to the amount of recov-ery, all questions as to insurable interest

ing to reduce the maximum amount recov-

erable on policy, such as amount of as-

sessments, etc., were peculiarly within the knowledge of the association, and the bur-

den of proof was upon it to show such mat-

17253. Supreme Sitting Order of Iron Hall

vs. Baker et al. Marion S. C. On motion of

appellant appeal was dismissed.

17316. Bluffton Light and Fuel Company vs. Myers. Wells C. C. Appeal dismissed.

17410. P., C., C. & St. L. Railway Company vs. Shepard. Wayne C. C. Appeal dismissed.

Marion C. C. Reversed. Dalley, J .- A com-

plaint by heirs to foreclose a mortgage which does not aver that there are no debts

a mortgage in the absence of a proper plead-

Appellate Court.

1540. City of Huntington vs. Burke. Wa-

bash C. C. Reversed. Davis, J.-In an ac-

falling in a "hole and broken place" in the

sidewalk, a complaint that does not allege

the existence of the defect long enough

to enable the defects to be repaired will

1539. Pence vs. Beckman. Madison C. C.

Affirmed. Lotz, J.-Recovery may be had upon the proof of an implied promise, although the complaint avers an express one. 1301. Citizens Street-railway Company vs.

Lowe. Hamilton C. C. Affirmed. Reinhard.

J.-Where a complaint in an action for damages alleges that the defendant (a

street-railway company) by its servants "negligently ran said car against the wagon" occupied by the decedent the charge of negligence is indefinite, but suf-

ficient on demurrer.

1372. Nelson, Administrator, vs. Spaulding. Ohio C. C. Affirmed on remittance of

part of judgment. Ross, C. J.-Evidence that a married woman has admitted or promised to pay for professional work is

988. Dugger et al. vs. Hicks. Green C. C. Petition for rehearing overruled. 1027. L., M., A. & C. Railway Company

vs. Johnson, Washington C. C. Petition for

rehearing overruled. 1067. P., C., C. & St. L. Railway Com-

pany vs. Klitch. Scott C. C. Petition for

1129. L., S. & M. S. Railway Company vs. Wilson, Administratrix. DeKalb C. C. Pe-

tition for rehearing overruled.

1222. Crawfordsville Music Hall Association vs. Cements, Montgomery C. C. Re-

Superior Court.

Charles Parks vs. Gearge R. Parke et al. Johnston, J. 2. On trial by court.* Lein S. Pierson et al. vs. Julia F. Mc-

Ginnis et ul.; mechanic's lien. On trial

Room 2-L. M. Harvey, Judge.

Charles H. Black vs. Henry S. Keeley et

al.; suit on note. Trial by court. Judg-ment against plaintiff for \$242.11.

Isaac D. Lemon vs. Mar E. Williams et al.; suit to foreclose on note. Evidence

heard and judgment rendered against de-

Isaac D. Lemon vs. W. O. Myers et al

suit to foreclose mortgage. Judgment against defendants for \$161.70.

Benjamin Richereek vs. John Herron;

street improvement lien. Dismissed and

Ralph Heiny vs. Citizens' Street-rail-road Company; damages. Judgment by

Jacob Frankei vs. Frederick H. Miller; demand on note. Evidence heard and judg-

Room 3-Pliny W. Bartholomew. Judge.

May Glass vs. Frank Glass; divorce. De-

cree granted plaintiff.
William Buddenbaum vs. Fredericka
Schmidt; mechanic's lien. Dismissed and

Bernard Gouhring vs. Anna M. Hastings et al.; mechanic's lien. Decree of fore-closure and sale ordered.

Thomas G. Disher vs. Roswell S. Hill;

account, Judgment for \$124.50. Bernard Kouhring vs. Martha E. Byram;

mechanic's lien. Decree of foreclosure and

George W. McCray vs. Horace R. Allen;

Benjamin Richcreek vs. Steven J. Ward;

Noah Rounds vs. Caleb Johnson; note.

Consolidated Coal and Lime Company vs.

Acme Paving and Cement Company; ac-

New Suits Filed.

Sarah F. Morris vs. William Kemp; ap-

lication for receiver. Superior Court,

Leo Hirth vs. The City of Indianapolis; suit for damages. Superior Court, Room 3.

Jacob H. Schneider vs. 'The Citizens'

Street-railroad Company; sult for damages.

Bridget Hirth vs. The City of Indianapo-

Joseph Miller vs. Tennessee J. Coleman:

suit on contract. Superior Court, Room 1. Esther A. Bristor vs. Frederick A. W.

Davis et al.; suit to recover judgment. Cir-

Moses W. Lipper et al. vs. Rachel New-garden et al.; complaint in replevin. Cir-

Lena Beharrell vs. The Commercial Travelers' Association of Indiana; com-plaint on insurance policy. Superior Court,

Susan Webber vs. Levi Webber; suit for

The Fidelity Building and Savings Asso-

ciation vs. Conrad Jennings; complaint for

foreclosure. Superior Court, Room 1. The Rural Savings and Loan Association

vs. John M. Foreman et al.; complaint to

foreclose. Superior Court, Room 2. Lavina U. Hibbs vs. John W. Hibbs; suit

DAILY VITAL STATISTICS-DEC. 10.

Births.

William and Louisa Miller, 116 Ramsey

Edward and Lulu J. Newhouse, 146 North

William and Lena Snider, 52 Concordia

Henry and May E. Budenz, 581 Shelby

Carl and Agnes Lemcke, 243 Lincoln lane,

Deaths.

Jane Palmer, fifty years, 436 West Wash-

Rebecca Unversall, fifty-two years, 934

Marriage Licenses.

Building Permits.

C. E. Spahr, frame house, North Illi

H. L. Hildebrand, frame house, East Ohio

Simon Glassman, brick smokehouse, 92

Rev. Mr. Ranger's Lecture.

night at the cathedral series of discourses

on the advent. The audience was some-

what larger than on the evening before. The subject was, "St. Paul's Conception of

the Church." The apostle, he said, had

given a literal meaning to the words of the Savior when He said that He was the

head of the church and that the church was His body. Rev. C. R. Hodge will lec-

ture to-night upon the "Constitution of the

Church as Taught by the New Testament

Keep your blood pure and healthy and you will not have rheumatism. Hood's Sarsaparilla gives the blood vitality and

and the Early Christian Writers."

Rev. J. H. Ranger was the lecturer last

Charles McColgan and Bessie Goins. Dolph Senaub and Carrie Debott.

Pine street, boy.
John E. and Susie A. Schom, 468 East

Washington street, boy.

ington street, phthisis.

nois street, \$2,000.

Russell avenue, 150.

street, \$2,500.

Madison avenue, cancer.

street, boy.

street, boy.

for divorce. Superior Court, Room 3.

divorce. Superior Court, Room 2

lis: damages. Superior Court, Room 1.

street lien. Dismissed and costs paid.

street lien. Dismissed and costs paid.

ment against defendant for \$202.60.

Room 1-John L. McMaster, Judge.

sufficient to charge her estate,

rehearing overruled

hearing granted.

fendant for \$161.70.

agreement for \$50.

costs paid.

costs paid.

sale ordered.

ludgment for \$103.90

Superior Court, Room 3

cuit Court.

Room 1

be bad on demurrer.

were waived. 2. In such case matters tend-

legal heirs.

16849.

gation of a contract.

BETTER TIMES IN VIEW

M. E. INGALLS THINKS HE SEES INDI-CATIONS OF IMPROVEMENT.

He Notes a Moderate Increase of Business Among Manufacturers, and Is Hopeful of the Future.

M. E. Ingalls, president of the Big Four and the Chesapeake & Ohio, was in the city last evening, accompanied by E. O. Mc-Cormick, passenger traffic manager of the Big Four, and at midnight went on to Chicago, where they will to-day attend the Central Traffic Association meeting. Mr. Ingalls expressed himself as being sanguine that the worst has been passed in the business situation. He had been over the Big Four lines considerably of late, and everywhere the smaller manufactories are starting up and many of the larger ones, not full handed, of course, but the fact that they had the courage to resume the manufacturing of goods of the various kinds was evidence of better times. Another good feature, he thought, was that the Big Four, the Lake Shore, the Nickel-plate, the Wabash and the Haltimore & Ohio, all had their shops running full blast and full time, repairing cars. The roads had begun to talk of buying rails, so low were they, \$22 per ton, and all other railway supplies are equally cheap. The new coaches which the Big Four recently received did not cost as much by \$2,000 each as an inferior coach did three years ago, and he was confident, if business continued as good as at present, that by Feb. 1 the roads would be letting contracts for new locomotives and new cars, for they must have them to handle the business. The Big Four is doing all it can with its present equipment, and was declining freight at many points for lack of power and cars. He thought rates had been maintained better since the meeting in Cleveland, last month, than at any time in years, but the Western roads had maintained rates much better than the Trunk lines. Regarding the wage question, Mr. Ingalls said that the Big Four was paying 23 good wages as its competitors, and all with the present rates. For years rates had been going down till they had reached too low a point to give the roads the profit the business ought to pay. The Big Four, he said, would show a handsome gain the first week of the month over that of last year, and December earnings bid fair to go far ahead of 1893; still much depended on the weather. What had helped Illinois, Indiana and Ohio roads was the big corn crop in these three States, which is bringing good ces; local traffic of the roads in these states in handling the hog crop had been y ahead of last year, and summing all he thought the outlook daily brighten ing for the railroad interests, and if the passenger and freight officials maintained rates there would be no room for complaint as to earnings.

President Ingalls, when shown the vote of the House on the pooling bill, said: "That is good, and I am glad the majority is so large. It will create confidence in railroad securities and give a spurt to business. Best of all, it places the little shippers on the same footing as the larger, and means steadier rates. A majority of the railway managers are in favor of the bill; opponents are the large shippers ele who did not understand the

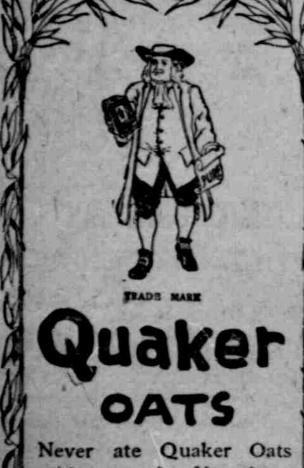
Regarding the rumor published in yester-day's Journal to the effect that there was some dissatisfaction with the Vanderbilt people over the management of President Ledyard, of the Michigan Central, Mr. Ingalls said he was the most popular man on the Vanderbilt lines, and he did not bewe that there was any truth in it. As to he management of the Lake Shore under President Caldwell, he said it could not be selled. The relations between the Big Four and the Lake Shore roads were never before so pleasant; Mr. Caldwell was pur-suing an independent policy in handling the property, and its business was heavy be-yond all precedent.

speaking of the great scarcity of cars Mr. Ingalls said it applied to all kinds of cars. "The fact is," said he, "the roads have been running their shops short-handed, and when business revived they had thou-sands of cars standing on side tracks in bad rder; now they are repairing them, and the situation will soon improve." Mr. Ingalls said his company would build its central shops at Indianapolis, but the exact time the work would commence depended on the earnings of the next twelve months.

Stockyard Switching Charges.

A meeting of the general managers of the Western lines was held in Chicago yesterday, in the office of Chairman Midgley, of the Western Freight Association, for the purpose of considering an advance in the rates on live stock from Western points to Chicago. The motive for the projected advance was found in a recent decision of the courts which was that the Atchison road had no right to make a switching charge of \$2 per car on all shipments of stock received at the Union stock yards of Chicago. The Atchison road contended that the charge was made compulsory by the stock yards company, and that it in reality had ing to with the matter. The courts eld that the charge must be dropped, and or some time the Atchison road has been the only road carrying stock to the yards which has not made the charge of \$2 per car. The other roads were very anxious to would cover the \$2 which they would be compelled to go without, as soon as some of their customers brought a test case against them. After a long discussion, it was found that the rates would not stand an advance at the present time, and the matter was left where it was when the meeting convened. All the other roads will now, in a short time, drop the switching charge, as all their business will drift to the Atchison if they do not. That road has been forbidden by the court from making the charge and, as a result, is carrying live stock into the yards at \$2 per car less than

The L. E. & W. System. A dispatch from Pittsburg says: W. E. Hackedorn, of Indianapolis, passed through this city this morning, Mr. Hackedorn, who is private legal adviser of Senator Calvin S. Brice, is the general counsel for the Lake Erie & Western system of railways. Mr. Hackedorn was returning from New York city, where he had been in consultation for several days with Senator Brice. amuel Thomas, and others owning the Lake Erie, regarding the purchase of new properties. Lately the Lake Erie acquired possession of the Cincinnati, Jackson & fackinaw, and as both Brice and Thomas ave been elected directors of the Flint & Marquette the general supposition is they intend pitimately joining the rties. About two or three months the Lake Erie & Western was offered Indianapolis, Decatur & Western ine, which traverses a granger district be-



with cream? You have missed one of the good things of life. Just try it! Sold only in a lb. Packages. THE SHE

tween Indianapolis and Decatur, Ill., and the management of the former favored the purchase. Mr. Hackedorn says that the purchase will, without doubt, be made. Mr. Hackedorn states that the Cincinnati, Jackson & Mackinaw is to be operated in-dependently of the Lake Erie & Western, but that the Indianapolis, Decatur & Western will be placed under the officers who now manage the parent system.

The Candian Pacific Stubborn.

The passenger agents of the Western roads wrestled all of the day at Chicago with the Canadian Pacific on the question of emigrant business, and up to a late hour had made no progress with that line. The first proposition of the Canadian Pacific that the agents of the emigrant clearing house in New York should be free to route their business as they saw fit. This was virtually knocking the clearing house to pieces, and the other lines would not listen to the proposition. The Canadian Pacific then desired a guarantee of 25 per cent. of all the emigrant business coming through the port of New York. At present there are about one dozen lines which have a share in the business, and the proposition to give the Canadian Pacific one-quarter of the total was promptly negatived. The roads will take up the question with the Canadian Pacific to-day, and if they find it impossible to come to an agreement with it, will go ahead and form the association without it.

Personal, Local and General Notes. George M. Bradbury, general manager of the Lake Erie & western, returned from

Vice President Kirkman, of the Chicago Northwestern, was in the city yesterday, going to Chicago on the noon train. The Michigan Central will make Buchanan a more important meeting point, and is putting in additional side tracks on quite an extensive scale.

The evangelists' car "Good News" passed through the city eastward, yesterday, going to points on the Chesapeake & Ohio, to do evangelical work. J. Q. Hicks, general yardmaster of the

Big Four, who has been quite ill for some days, was much better yesterday and was at the yards for a short time. Two more passenger conductors on the Cincinnati, Hamilton & Dayton, Indianapolis division, were relieved yesterday for reasons which the officials decline to give.

The division freight agents and a number of chief clerks of roads in northern Indiana and Ohio, are in session at the Bates House, adjusting rates to southern Indi-At Lafayette two hundred tickets over

the Big Four have been sold to persons who are coming here to-day to attend the Chapman meetings, low rates having been secured for to-day.

M. W. Mansfield, superintendent of the ianapolis & Vincennes, and F. G. Dar lington, superintendent of the Indianapolis division of the Pennsylvania lines, went to

Pittsburg last night. More trouble is brewing in the local passenger association. It is alleged that the Pennsylvania lines are doing some crooked rate business and a meeting is to be called to investigate matters. In the week ending Dec. 8, there were transferred over the Belt road 16,036 cars, and Belt road engines handled 1,588 cars of

stock, being the heaviest movement in both cases of the year in any one week. The Louisville, New Albany & Chicago will use forty-two miles of the light steel rail it is taking up on the Indianapolis division, in the track of the Bedford &.
Bloomfield foad, which is to be converted
into a standard guage road in the early

The train leaving Indianapolis at 8 a. for Cincinnati bids fair to be one of the Cincinnati, Hamilton & Dayton's best trains. This train makes the run in three hours and twenty minutes, stopping only a': Rushville, Connersville, Liberty, Ox-

A gentleman who is well informed as regards new railroad enterprises states that the work will be commenced in March on the extension of the Buffalo, Rochester & Pittsburg to Pittsburg. The distance from Buffalo to Pittsburg will then be re-duced to 250 miles. It will be a doubletrack line and very thoroughly built.

Officials in charge of all trains running between St. Louis and Cieveland have in-structions not to attempt to make any sidng when running ahead of the Knickerbocker express, unless there is an abundance of time to do so, and in no case must they run to a siding where it is not long enough to hold the full train, clearing amply the main track.

George J. Gould passed through the city on Monday night, returning on the Knick-erbocker express of the Big Four, Mr. Gould's going west over the Pennsylvania and Vandalia and returning by the Big Four and the Vanderbilt lines leads to some comment. It is believed he wished to ascertain in what respect, if any, these lines are superior to the Wabash, of which he is president.

For some months an item has been going the rounds of the press to the effect that on a southern road, recently, the longest passenger train was hauled ever handled on any road in this country, the train con-sisting of twenty-five coaches. In July, 1873. a train of twenty-nine coaches was hauled from Indianapolis to Columbus, Ind., over the Jeffersonville, Madison & Indianapolis, Hiram Fuller, of this city, being the en-

The Louisville, Evansville & St. Louis will, in laying the track through the Patton tunnel, use a rail weighing ninety pounds to the yard. It is stated that rails n tunnels last only about one-third as long as on open track, although subjected to exactly the same amount of wear. The theory is that nearly all the fuel used in locomotives contains sulphur, which combustion and the action of the exhausted steam through the smoke stack, changes to free sulphuric acid. Expert master mechanics say that this issues from the stack often in as great quantities as five pounds an hour, but is soon dissipated in the open air and does no harm. In a tunnel, however, where the steam cannot escape, it condense rapidly on the rails and leaves them subject to the direct action of the

SIM COY'S ILLNESS.

Dr. Wagner, Whom Coy Tried to Defraud of Office, His Physician.

There were rumors affoat last night that Sim Coy, who has been ill for a number of months, had taken a fatal turn. Inquiry of his physician, Dr. Wagner, ex-coroner, resulted in a denial of the report. He said that Mr. Coy was resting easily, and there was no immediate danger of death. The Democratic ex-county leader has been suffering from a complication of diseases affecting the vital organs. The fact that Dr. Wagner is his physician recalls all the more strongly the political story with which Mr. Coy is connected. Dr. Wagner was the candidate who pressed the investigation into the forged tally sheets, resulting in the indictment and conviction of Coy in the federal court for falsifying the returns of a congressional election. Dr. Wagner was convinced that he was elect-ed, and with his accustomed energy he did not rest until he was declared the winner and the prosecutions against the tally-sheet forgers had begun. It is a belief in some quarters that Coy was the scapegoat for others in this iniquity, and calmly suffered the consequences rather than betray the instigators of the forgery. That Dr. Wagner is now Coy's physician would seem to show that the latter bears no resentment against his political enemy. This, however, was one of his marked characteristics in politics. A number of well-to-do friends of Coy have shown that they had a genuine regard for him during

Refused to Investigate the Death. Coroner Castor was called to No. 226 Yandes street yesterday morning to investigate the death of Charles Lawrence, who died suddenly about 9 o'clock. The family told the coroner that the dead man had suffered with consumption. The coroner refused to investigate the death because Dr. Anthony, who had treated Lawrence, had already made out a death certificate.

Identified as a Circus Man.

Coroner Castor was yesterday able to identify the man killed by a Belt engine Saturday night by means of a telegram which came from Columbus, O. The message stated that the victim was Richard Millikan, alias Tammany Dick, of that city. He belonged to Sells's circus, which passed through the city last week. The body remains at Whitsett's morgue.

Indiana Library Association.

The Indiana Library Association will meet on Dec. 26 and 27 in this city. The programme includes papers by Miss Browning, city librarian; Miss Ahern, State Librarian; Rev. Mr. Carstensen, of this city; W. P. Burris, of Bluffton, and Belle S. Hanna, of Greencastle.

Excursion to Virginia and North and On Dec. 18, via Pennsylvania line, One fare for the round trip. Call on ticket agents or address George E. Rockwell, D. P. A. Indisuapolis.

MUST STAND THE LOSS

COUNTY TREASURERS SUFFER WHEN DEPOSITORS IN FAILED BANKS.

Supreme Court Holds Legislature Cannot Afford Relief-Fine for Pawning a Pension Certificate.

In the case of Isaac V. D. R. Johnson vs. The Board of Commissioners of Randolph county, the Supreme Court yesterday decided that the acts of the Legislature in reimbursing a public official for money lost by deposit in a failed bank are unconstitutional. The case involved a loss of \$2,000 to the appellant, who had that amount in a bank which failed during his term as treasurer of the county. John M. Turner, former treasurer of the county, turned over to Johnson, when the latter succeeded to the office, a \$16,000 certificate of deposit with C. L. Lewis & Co., bankers. The Legislature, after a petition, agreed to release Johnson from all responsibility, but the ruling of the court in the case is that if he could be released from a part of his obligation as such official, he could be released from all and this would constitute a breach of contract.

PROFIT IN RAISING A BOY. Appellate Court Refuses to Take Ju

dicial Cognizance of This Point. The case of the Citizens' Street-railroad Company vs. George Lowe, on appeal from Marion county, was yesterday decided by the Appellate Court, in favor of the appellee. He had been given a verdict of \$1,300 for the death of his son, aged eleven, owing to a motorman allowing his car to run into a carriage in which the boy was riding. The court, Judge Reinhard writing the opinion, finds no error in the lower court and affirms the judgment. The last reason set forth by the company for the reversa of the judgment was that the judgment was excessive. The opinion concludes as

"Counsel ask us to decide that there no financial profit in bringing up a child and especially in a city, and without a home. Of this, however, we cannot take judicial cognizance. We suppose there may be a pecuniary profit in rearing a boy to ood under some conditions and circumstances. The jury had before them sufficient evidence to authorize them to determine the question as they did, and we cannot say they have transcended their prerogative in this respect.'

BELONGED TO THE OTHER COMPANY. Members of Dwiggins Fence Company Arrested for Opening a Letter. Leroy Urmston and J. W. Dwiggins, com posing the Dwiggins Fence Company, of Frankton, were brought here yesterday by a deputy United States marshal to answer a charge of violating the postal laws. They are accused of having withheld a letter ad dressed to the Hoosier Fence Company, and contanting an order, fifty-three days. They explain, that the letter being delivered to them, was set aside in a drawer and forgotten, but it is alleged that the letter had been opened and resealed when returned to the postoffice. They gave bond for their appearance before Commissioner Van Buren.

PAWNED HIS PENSION CERTIFICATE Adam S. Stinson Fined One Cent and Costs for the Offense.

The jury in the case of the United States vs. Douglas Hayes, on a charge of passing counterfeit money, returned a verdict, yes terday, of acquittal. Marshall Padget and James Berry, who were convicted of pass-ing a counterfeit dollar, were sentenced, the former receiving two years and the latter one year. Adam S. Stinson, of Marion, Ky., was fined one cent and costs for pawning his pension certificate. Squire Leonard was fined \$50 and costs for violating the postal laws.

IRON HALL APPEAL DISMISSED. Supreme Court Acts-Attorneys for

Both Sides Agree. The Supreme Court yesterday granted the motion of the appellants in the case of the Supreme Sitting of the Iron Hall vs. Albert R. Baker et al., for a dismissal of the case. The order of the court was agreed to by the attorneys on both sides. The motion was made by the appellant in order that the assets of the order may be distributed as speedily as possible and not squandered in further litigation.

THE STREET GRADE RAISED.

East Washington-Street Property Owners Sue the City. Bridget and Levi Hirth, the owners certain property on Washington street, between Belmont avenue and Bloomington street, yesterday filed a suit for damages against the city, alleging an unnecessary elevation of the Washington-street grade in front of their property. By reason of the change in the roadway the plaintiffs aver that they will be compelled to elevate their buildings and fill up their lot at a considerable expense. They assess their

damages at \$2,500. Five Probate Cases. The last will and testament of Julia A Root was probated yesterday and Helen L. Bennett, in accordance with the provisions

of the document, appointed executrix. The latter is the sole beneficiary of the will. The will of Emma Z. Horner was admitted to probate, the decedent providing for a division of her property, real and personal, between her husband, Abraham Horner, and her daughter, Emma Rose

The will of Fannie Crew, also received for probate, names Amelia S. Dial, sister of the decedent, as administratrix and beneficiary of the entire property.
Joseph E. Ayres, in his last will, be weaths his entire estate to his wife, Sarah Benjamin Hornehus was appointed administrator of the estate of Amanda Jones. with a bond of \$10,400.

Judge McCray Gives a Man "Hours." Judge McCray, of the Criminal Court, yesterday disposed of the following cases: Frank Roberts, petit larceny, given twenty-four hours to leave the city; Noah Roberts, petit larceny, thirty days in the worknouse; William Small, petit larceny, Reform School for Boys; Benjamin Pyke, petit larceny, sixty days in the workhouse; Daniel and William Shay, incorrigible, Reform School for Boys. John Lawhorn, John Drew and Andrew Robb, arraigned on the charge of grand larceny, pleaded not guilty. William C. Woerner, under indictment for assault and battery, was delivered over to the Criminal Court by his bondsman, Henry W. Campmann.

Says He Was a Terror. Lavina W. Hibbs, in a complaint for divorce from John W. Hibbs, filed yesterday, avers that for a long time she was the victim of the defendant's bad temper. She alleges that he frequently struck at her with chairs and has often shattered articles of furniture on the floor in his effort to knock her down. In this way he has broken up nearly all of their house-hold furniture. She says that a longer exstence in the same house with the de-

A Street-Railroad Suit.

Jacob H. Schneider, in an action against the Citizens' Street-railroad Company, begun yesterday, alleges that his wife, Ida B. Schneider, while alighting from a Colege-avenue car, was thrown violently to he ground. She was so seriously injured. it is alleged, that the plaintiff has since been deprived of her services and society and has been put to great expense for medical treatment. He asks damages in

The Judgment Never Paid.

George Clark, executor of the estate of Augustine Clark, deceased, yesterday brought suit in the federal court against the Louisville, Evansville & St. Louis Consolidated railroad and David J. Mackey for \$13,000, due, as alleged, on a judgment given the plaintiff in 1890 for \$9,021. The case was carried to the Supreme Court and judgment affirmed, but it is alleged has never been paid. The suit is against the appeal bond.

Her Husband's Life Insurance. Lena Beharrell, beneficiary of a certificate of insurance, held by her late husbaned in the Commercial Travelers' Association of Indiana, yesterday brought suit for the richness.

collection of \$2,000, the amount of the policy. It is charged that the defendants deny any MR. LEIGHTY CONTENT

WILLING TO LET THE TWELFTH DISTRICT BOUNDARIES REMAIN. 17376. State vs. Miller. Kosciusko C. C. Reversed. Coffey, C. J.-In regard to ware-

housemen disposing of goods without con-sent of the persons holding the receipt District Has Been Strongly Demothe act of 1875, owing to the fact that four days after the passage of the act of 1879 the General Assembly passed an act amendocratic, but He Thinks the Recent Change Is Permanent.

> J. D. Leighty, member-elect of Congress from the Twelfth district, is in town attending the Scottish Rite convocation. This is his first visit to Indianapolis since the election, and many congratulations were extended to him for succeeding in hitherto strong a Democratic district. Mr. Leighty does not believe, however, that it is to remain a Democratic district. When asked last night by a Journal reporter what he thought should be done about the apportionment of the State he said: "As far as the congressional district is

> concerned, we have no desire to have it changed. The district is shapely and compact, and while it has had four strong Democratic counties, our gain was so large and was due to so many sound conditions, that we have great hopes that the political complexion of the district will remain as it is now. But for senatorial purposes, we think the districts should be somewhat changed. We would like to see Steuben and DeKalb comprise one district and Lagrange and Noble another. These counties are contiguous, and they are so conveniently conjoined by railroads that they would fit

well together for senatorial purposes." Mr. Leighty's declarations concerning his congressional district caused much surprise among the party leaders, who have encountered a great deal of pressure from the newly-developed statesmen for such changes in the district as would make anowing by the estate of the decedent, and that no letters of administration had ever been granted is bad. 2. Parol evidence is not admissible to contradict the terms of other contest easier than they expect it to be in a normal year. Mr. Leighty was asked as to what caused the revulsion of ing as non est fact or an answer of mis-take, etc. 3. When a trust has been ac-cepted it cannot be revoked, altered or changed without the consent of the benesentiment in his district, and he said: "It was principally the tariff issue that

made the district go Republican. There are a large number of sheep raisers in the Twelfth district, and the Democratic dila-tory tinkering with the tariff, which caused the depression of business, had a great influence. There were also some local in-fluences which caused dissatisfaction in the four Democratic counties. "Are you in favor of the restoration, practically, of the McKinley law?" "It remains to be seen what it is best to do in regard to a new tariff law," was the reply. "Perhaps what was wise in the Mc-Kinley law in 1890 would not now be con-

tended for by anyone. The law as a general thing was all right, but now that it is repealed, I am in favor of avoiding in the new bill any errors it may have contained.' "Did you encounter any free-silver senti-ment that challenged your attention?" "Not in the least. The district stands pretty squarely with the Republican party in that regard. We had expected that the Populist vote would be largely increased, but, while it was about 2,000 votes two years ago, the gain this year was only 195, so that we have nothing to combat in that quarter. The people of the Twelfth district are not crazy about free-silver coin-

Mr. Leighty is a merchant at St. Joe, and is about forty-five years of age. He was a member of the Indiana Legislature in 1887. and with this exception has held no other office than the one to which he has now been elected. He made his campaign with-out speeches, and succeeded by dint of strong and attractive personal qualities.

TRIED TO REFORM THE NEW RULE. A Drunken Passenger on an Electric

Car Raises Objections.

The new rules, by which the street cars stop at the near crossings, came near getting a South Illinois-street shoemaker into a difficulty last evening. He was a passenger on an East Washington-street car. He had been drinking some and was in no condition to argue about rules. A lady paid her fare and asked to get off at Delaware street. The car was stopped at the near crossing and she objected because she would have to alight in a puddle of water if she got off there. While she was stating her objections the car started and the woman was carried to Alabama street. The man with the bad disposition upbraided the conductor and became so vehement that he walked to and fro in the car denouncing the company for making such a rule and abusing all corporations. The passengers became frightened, but the man continued his tirade. Captain Quigley was on the Alabama-street crossing, and he was called. He removed the obstreperous man and walked him to police headquarters. There the rule of the street-car company was ex-plained to him and he was greatly humbled. He begged to be allowed to return home As he was not very drunk and it would be no trouble for him to walk the Captain allowed him to go, with the advice to never again try and reform on a street car the rules of the company.

Appropriation for Militia. The Officers' Association of the Indiana Legion will urge upon the Legislature the necessity of appropriating more money to the military arm of the State. The pres-

ent appropriation to the militia is \$37,000, and the Adjutant-general has recommended that it be made \$75,000. Organizing an Athletic Club. There will be a meeting held in the Adto organize the Indianapolis Athletic Association. A number of weil-known men are interested in the project. It is intended to establish a down-town clubhouse and an

athletic park. A Child Accuses Him. Thomas Pratt, colored, surrendered himto the police yesterday, as he heard there was a warrant out for him. Jennie Williams, a fifteen-year-old colored girl, makes the allegations. The crime is alleged to have happened about a year ago.

Tomlinson's Suspended Sentence. James Tomlinson, who pleaded guilty to passing a counterfeit dollar, was yesterday allowed to go free by Judge Baker on a suspended sentence.

Bargains this week at Marcy's in dianonds, watches, sterling silverware-lowest

Dr. Price's Cream Baking Powder World's Fair Highest Award.

A Woman Shrinks

her physical men. During

the past 20 years thousands of women throughout the world have written in womanly confidence to

Lydia E.

from telling

troubles to

Pinkham at Lynn, Mass., and laid bare the life of misery they endured.

They wrote freely, knowing that their letters went straight to the hands of a woman, who not alone understood their sufferings, but whose heart was full of sympathy with them. The experience of thou-

sands has proved how care-

fully their letters were studied, and how true and sure came the answer and helpfulness. And also that Lydia E. Pinkham's Vegetable Compound is woman's great friend.

EMINENT TESTIMONY

Regarding the New Discovery for Curing Dyspepsia and Indigestion.

Dr. Hartzman, who has made many tests of the new dyspepsia cure, is very enthusiastic in his praise of this excellent preparation. It is not a secret patent medicine but is composed of pure pepsin, bismuth fruit salts and vegetable essences, made into pleasant tasting tablets or lozenges and sold by druggists at 50 cents per package, under the name of Stuart's Dyspepsia Tablets.

Dr. Hartman states that Stuart's Dyspepsia Tablets cure dyspepsia and weak stomachs, because they possess the peculiar power of digesting whatever wholesome food is taken into the stomach. They do not act on the bowels like cathartics, but act entirely on the food, digesting it thoroughly and quickly, giving the stomach a chance to rest and recover its natural strength, which it invariably will do after a course of Stuart's Dyspepsia Tablets. If your druggist hasn't them in stock ask him to order a small quantity from his whole-

Circulars and testimonials sent free by addressing Stuart Company, Marshall, Mich.

Lump and Crushed Coke FOR SALE

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SOCIETY NOTICES.

SPECIAL FALL CONVOCATION. MASONIC TEMPLE Continuation of Programme SARAIAH COUNCIL PRINCES OF JERUSALEM 15° and 16°. To-day (Wednesday), at 2 p. m.

NCIENT ACCEPTED SCOTTISH RITE.

CHARLES L. HUTCHINSON, 33°, M. E. M. D. FRED APPEL, 32°, Master of Ceremonies. Banquet at 5 p. m. INDIANAPOLIS CHAPTER OF ROSE CROIX. 17c and 18c, at 7:00 p. m. BYRON K. ELLIOTT, 382, M. W. and P. M.

INDIANA CONSISTORY S. P. R. S. 19º to 32º, inclusive. To-morrow (Thursday) at 10 a.m.-continuing at 2 and 7 p. m. PHINEAS G. C. HUNT, 33°, Ill. Com.-'n-Chief. JOHN T BRUSH, 33°, Ill. Master of Ceremonies.

JACOB W. SMITH, 33°, Master of Ceremonies.

WANTED-AGENTS. WANTED-Agents make 55 daily. Marveious invention; retails 25 cents; two to six sold in a house; sample mailed free. FORSHEE & McMAKIN, Cincinnati, O. WANTED-Active men in small towns, \$7 per month can be made, and will prove it; we furnish samples free; write us, we will explain. Address Box 5308, Boston,

WANTED-Salesmen in every county, \$75 month and expenses. Office, furnitur Experience unnecet ary. Address K. Co., 55 Colonnade Building, Boston, Mass. AGENTS WANTED-Agents to take orders sample at home or travel. We pay liberal salary and exenses or good com-mission and furnish samples to right ap-plicant. Address Lock Box 1354, New York City.

WANTED-AGENTS-The Lombard Building and Loan Association wants agents in every county in Indiana. Attractive plan. Liberal features. Prompt loans. Progressive management. Good commissions paid. Write for terms. CHARLES MAGUIRE, President. E. P. THOMPSON, Secretary.

WANTED-MISCELLANEOUS. WANTED-Good stenographer; state salary expected. C. L., care Journal.

FINANCIAL. OANS-Money on mortgages. C. F. SAYLES, 75 East Market street. LOANS-Sums of \$500 and over. C. E. COFFIN & CO., 90 East Market

MONEY TO LOAN-We have plenty of per cent. money to loan on Indiana farms. C. N. WILLIAMS & CO., Crawfordsville, Ind. TO LOAN-Money to loan upon real ertate mortgage in amounts required. In-

terest moderate. No commission charged. M'GILLIARD & DARK, 83 and 85 East Market street. MONEY TO LOAN-On farms at the lowest market rate; privileges for payment before due. We also buy municipal bonds. THOMAS C. DAY & CO., 72 East Market street, Indianapolis.

FINANCIAL—Prompt loans made by "T Lombard," No. 97 Lombard Building. CHARLES MAGUIRE, President. E. P. THOMPSON, Secretary. LOANS-6 per cent. money on improved real estate in this city only. (No loans made outside.) Borrower has the privilege of prepayment semi-annually. No delay. Reasonable fees. JOHN S. SPANN

& CO., 86 East Market.

MISCELLANEOUS. MISCELLANEOUS-The Roosevelt House, one square north of postoffice, and across the street from the Denison, on Ohio street, has opened up as a dollar-a-day house. "Cleanliness, with good accommodation," shall be our motto. Try us.

FOR SALE. FOR SALE-At public sale, Dec. 15, to close an assignment, a first-class business prop erty worth \$10,000; the best store room town. Also, two lots pear center of town, one containing warehouse, the other residence. All very desirable. R. B. OGLES-BEE, Plymouth, Ind.

REWARD. REWARD-The person who sent the undersigned a typewritten letter Nov. 2, 1894, will be rewarded by calling at Room 16, No. 60 East Market street. Confidential. J. A. HUNT.

FOR RENT. FOR RENT-Large, elegant down-town residence. Address X, care Journal.

NOTICE OF SALE OF REAL ESTATE

n the matter of the estate of Margaret

Proceedings to sell real estate.

Notice is hereby given that, by virtue of the order of the Madison Circuit Court, the undersigned, administrator, with the will annexed, of the estate of Margaret Lintner, deceased, will offer for sale at private sale at the office of C. E. Reynolds & Co., No. 10 Circle street, Indianapolis, ind., on the 19th day of January, 1895, the following described estate, situate in city of Indianapolis, in the county of Ma-rion, in the State of Indiana, to wit: Thirty-two and one-half (3242) feet off of the north side of lot No. two (2), in John Wood's subdivision of outlot two (2) the city of Indianapolis. Terms-One-third (1-3) cash in hand; the residue in equal payments at twelve (12) and twenty-four (24) months from date of sale, with notes at six (6) per cent. Interest, waiving valuation and appraisement law, and secured by mortgage upon the real estate sold. Sale will begin at 2 o'clock g. m. SANFORD M. KELTNER,

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THEODORE STEIN.

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17-horse power White & Middleton Gas Engine, in good condition-same make as ordered for Soldiers' Monument. Not enough power for

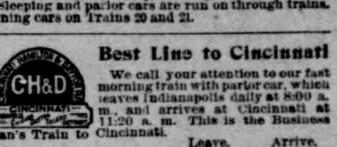
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Indianapolis, Ind. SEALS AND STENCILS.

CATALOGUE FREE BADGES, CHECKS &C. TEL 1386. 15 SMERIDIAN ST. GROUND PLOSE.

RAILWAY TIME-TABLES.

VANDALIA LINE Louis Fast Line *11:50 am



Notice is hereby given that in pursuance of the order of the Circuit Court of Marion County, Indiana, the undersigned, guardian of Charles Schwartze, will, on the 21st day of December, 1894, at the office of the Indiana Trust Company, No. 23 South Meridian street, in the city of Indianapolis, sell at private sale, for the best price of-fered, but for not less than the appraised value, the following property, to wit: Installment receips amounting in the aggregate to \$3,500, paid on subscription for stock in the Indiana Trust Company. Also the following certificates issued by the Consumers' Gas Trust Company, viz.: No. 1942 for \$225, No. 7446 for \$90, No. 9855 for \$88; also one share, No. 124, for \$100 par value of stock in the Indianapolis Target Shooting Association; also a lease for fifteen years executed July 1, 1888, by Laura F. Hyde to Charles Schwartze for lots Nos. 4, 5 and 6, in square 16, Drake's addition to Indianapolis, and also the buildings, boilers, engines, machinery, tools, etc., located on said leased premises, and known as the Globe Excelsior Works, together with all raw and manufactured materials on hand, and also three norses, wagons, TERMS OF SALE-For said interests in stock, cash in hand, and for said lease and Globe Excelsior Works, and all property connected therewith, one-third cash and the balance in two equal payments, in six and twelve months from date of sale, and for said deferred payments the notes of the purchaser, bearing interest from date, and collectable with attorney's fees, without relief from the valuation or appraisement laws, and security to the satis-

ministrator with the Will Annexed.

Ipman, Keltner & Hendee, attorneys The Sunday Journal, by Mail, \$2 a Year

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HOURS-9 to 11 a. m.; 2 to 5 p. m. Diseases of the Stomach and Nervous System.

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NOTICE Of Guardian's Sale of Stocks and Other Property.

faction of the undersigned guardian will be required, and sales will be subject to the approval of the court. If all, or any part, of said property is not sold on said day, it will be sold on the same terms at

time thereafter.
THE INDIANA TRUST COMPANY, Guardian of Charles Schwartze. Lamb & Hill, Attorneys.